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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Ryoji WATANABE et al.

Group Art Unit: 3651

Application No.: 10/647,292

Examiner: L. NICHOLSON III

Filed: August 26, 2003

Docket No.: 116940

For: POSTPROCESSING APPARATUS AND POSTPROCESSING METHOD

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the July 17, 2007 Restriction Requirement, Applicants provisionally elect Group 1, claims 15-17 and 25, with traverse.

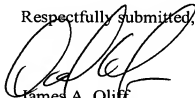
Applicants believe that asserting a Restriction Requirement at this point in prosecution of this application requires an overly technical application of the rules. Specifically, independent claims 15 and 23, despite the assertions to the contrary in the Office Action, are closely enough related that they represent specific clarifications of the broader and generic subject matter of the claims prior to amendment. As such, Applicants believe that the claimed subject matter has previously been exhaustively examined. It is, therefore, unclear to Applicants how the Patent Office can now assert that the further examination of the pending claims, as clarified by amendment, represents any additional, or serious, burden.

Further, it is also respectfully submitted that the subject matter of all claims is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is

respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,



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JAO:DAT/cfr

Date: August 14, 2007

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